

Neighborhood Business District Strategy

Proposed Land Use Code Amendments



SEPA Determination





City of Seattle

Gregory J. Nickels, Mayor
Department of Planning & Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**SEPA Threshold Determination
for revisions to Commercial Code, Seattle Municipal Code 23.47
and Parking and Access, SMC 23.54**

Project Sponsor:	City of Seattle Department of Planning and Development (DPD)
Location of Proposal:	The proposed amendments would affect properties City-wide in both Neighborhood Commercial (NC) and Commercial (C) zones. Specific code changes are also directed to existing business districts in Admiral, Columbia City, Eastlake, Greenwood-Phinney, Lake City and Madison-Miller neighborhoods as well as NC zones with an 'R' designation
Scope of Proposal:	
<i>Rezoning and Overlay:</i>	The proposal would modify criteria for establishing pedestrian overlay zones, change existing overlays to further define pedestrian designations in existing business districts, combine the two existing pedestrian designations into one overlay, expand existing designations in three neighborhoods – Columbia City, Greenwood-Phinney and Lake City, evaluate new potential overlay districts in Admiral, Eastlake and Madison-Miller neighborhoods and remove the 'R' designation from Neighborhood Commercial zones
<i>Use requirements:</i>	The proposal would allow for housing at ground level in those portions of NC zones without a pedestrian designation, reduce and clarify the number of uses, modifying size limitations for certain businesses in NC zones, allow additional uses not currently allowed in pedestrian overlays and modify mixed use standards when adding residential units to an existing commercial structure.

<i>Parking requirements:</i>	The proposal would lower required parking throughout all commercial areas, based on new demand data and availability of transit, modify waivers for parking requirements based on square footage of building to number of businesses within a building, waive parking requirement for new uses in existing buildings, allow additional parking strategies for shared parking, establish surface parking area maximums to reduce impervious surfaces, revise bicycle parking requirements to require a constant number of spaces at a development and allow for no required parking at Urban Centers and Station Overlay districts
<i>Development Standards:</i>	The proposal includes modifications to replace current residential coverage limits for mixed use structures with a floor area ratio (FAR) calculation, allow additional FAR in targeted neighborhoods to implement planning goals, replace density limits on residential uses with a FAR allowance, standardize facade and parking requirement in existing pedestrian overlays and apply to all NC zones, limit building setbacks, limit driveways crossing sidewalks, require appropriate landscaping in auto oriented commercial zones, encourage housing units at street level that are designed to enhance streetscapes, reduce required on-site open space and allow for a variety of open spaces, both active and passive, as well as an option for funding offsite open space
<i>Residential Amenities:</i>	The current requirement for private open space in the study area would be replaced with a requirement for residential amenity space. Currently, usable open space is required for all residential uses in an amount equal to twenty (20) percent of the structure's gross floor area in residential use. The change proposed would reduce the requirement to five (5) percent of floor area in residential use. In addition, interior spaces such as community and exercise rooms would qualify as well as decks and balconies. Payment in lieu of onsite provision would also be allowed.

BACKGROUND

Proposal Description

The City proposes the following revisions to the Land Use Code concerning pedestrian overlays and their location:

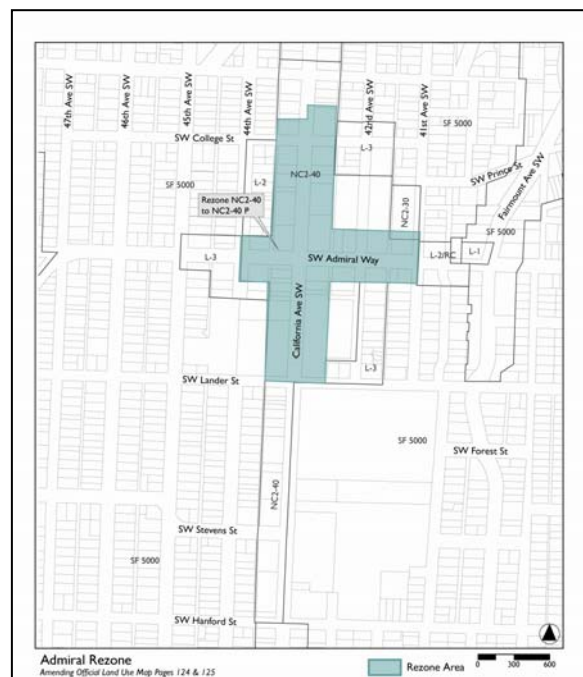
- Rezoning all existing P1 and P2 designated sites citywide by combining these designations into a single P designation,

- Revise the criteria for establishing or expanding pedestrian designations, in part by allowing more automobile oriented areas to qualify for this designation, further defining street designations or characteristics and other revisions to clarify eligibility
- Revise the street use requirements currently in pedestrian designations to broaden the uses permitted at street level along pedestrian designated streets
- Standardize parking reductions and locations for uses in pedestrian designated zones to one reduced rate and require all parking in NC zones to be screened
- Rezone NC2/R and NC3/R zones by removing the 'R' designation on all properties zoned NC2 and NC3, to allow for housing without density restrictions in commercial zones outside of pedestrian designated areas.
- Expand allowed uses in pedestrian (P) zone overlays, to include community clubs, lodging, medical services, museums, religious facilities and public schools
- Permit single purpose residential uses in NC2 and 3 zones and C1 zones outright, in zones without a P designation

Accompanying the change in pedestrian designations and criteria, these revisions would include a proposal to map six new neighborhoods with the new pedestrian designations. The new designation would not change the underlying zoning or related height limits, only establish pedestrian designations over a portion of the existing zoning. Those neighborhoods are:

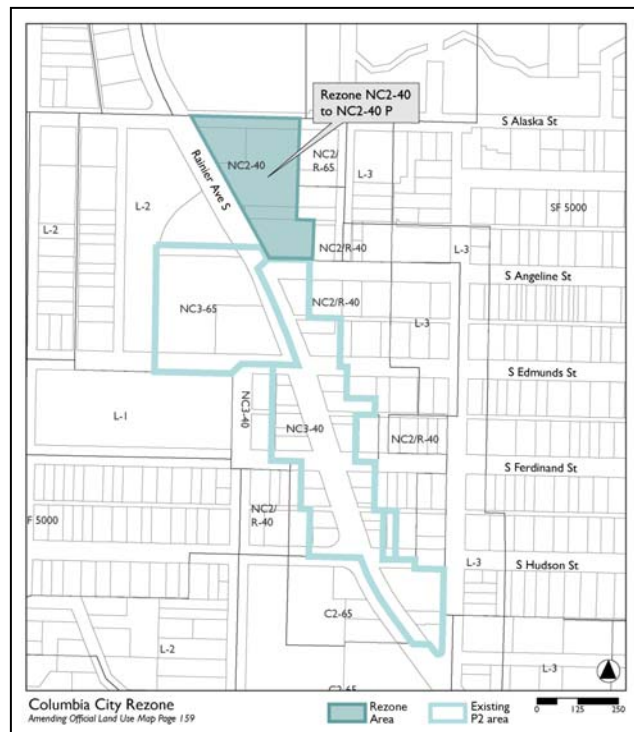
Admiral

A new Pedestrian designation would be applied to a portion of an existing NC2-40 zone in the Admiral neighborhood in West Seattle. The new designation would apply to properties at or near the intersection of California Ave SW and SW Admiral Way. The area is currently marked by one and two story commercial structures with two new prominent mixed use buildings located near the intersection. The P zone designation would only apply to those properties reflected in the map shown here, generally bounded by SW Lander, SW College, 41st Ave SW to 45th Ave SW.



Columbia City

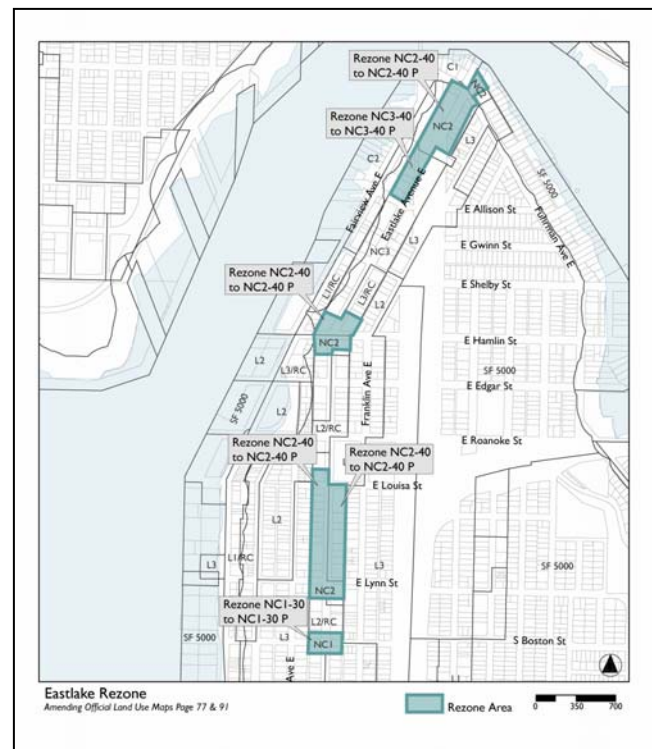
Columbia City, a designated Landmark District, is primarily zoned NC2 and NC3 with 40 and 65 foot height limits. Most of the area currently is marked by a variety of historic structures that comprise the core of the neighborhood business district. The north and south reaches of this commercial zone are areas of less historic or automobile oriented uses, located in a variety of one and two story structures in various states of repair. The existing P zone would be modified with this rezone, changing the designation from P2 to P, as well as extending the existing zone one block to the north along the east side of Rainier Ave S from S Angeline and terminating at S Alaska Street. The rezone area consists of one story auto-oriented uses. The rezone site is also notable for being located across the street from the Columbia City Library, a City of Seattle Landmark



Eastlake

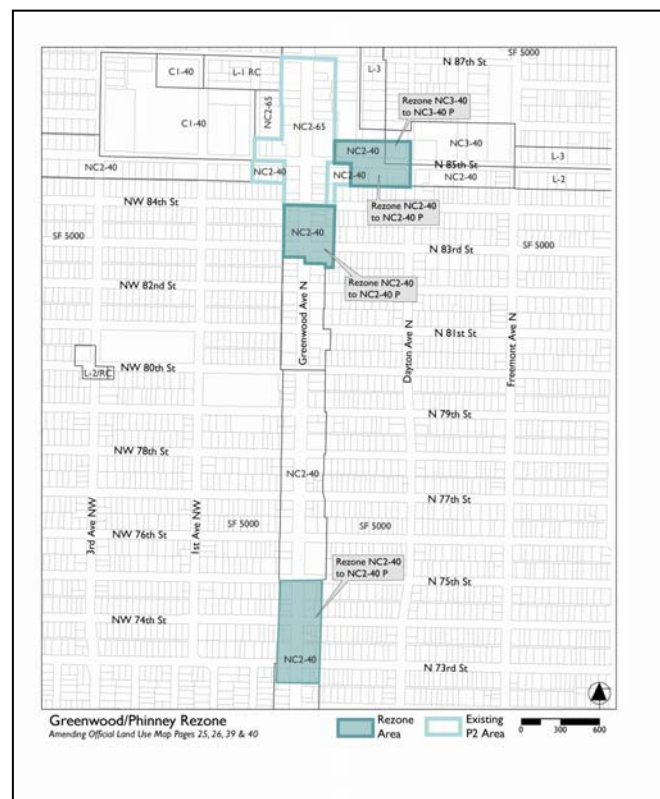
The proposed rezones are focused at three separate areas along the existing Eastlake Ave E commercial corridor, bounded by S. Boston to the south and Fuhrman Ave E to the north. All of the three NC zones – NC1, NC2 and NC3 – would be rezoned in this action by applying a P zone designation to all properties. The C1 and C2 zones that buffer the area along the north portion of the district would not be included in this rezone, nor would any residential properties that are located throughout the Eastlake Ave E corridor. The corridor is marked by a variety of one through four story commercial buildings. Older commercial buildings within this area are primarily one story and are devoted to retail activities while the newer commercial buildings are three and four story structures that also have a strong auto orientation by open or exposed parking areas. A variety of residential uses are distributed throughout the study area.

Older one and two story brick structures are located adjacent to newer wood and wood frame structures. The study area has also seen the development of several new mixed use structures, devoted primarily to retail activities at their base.



Greenwood-Phinney Ridge

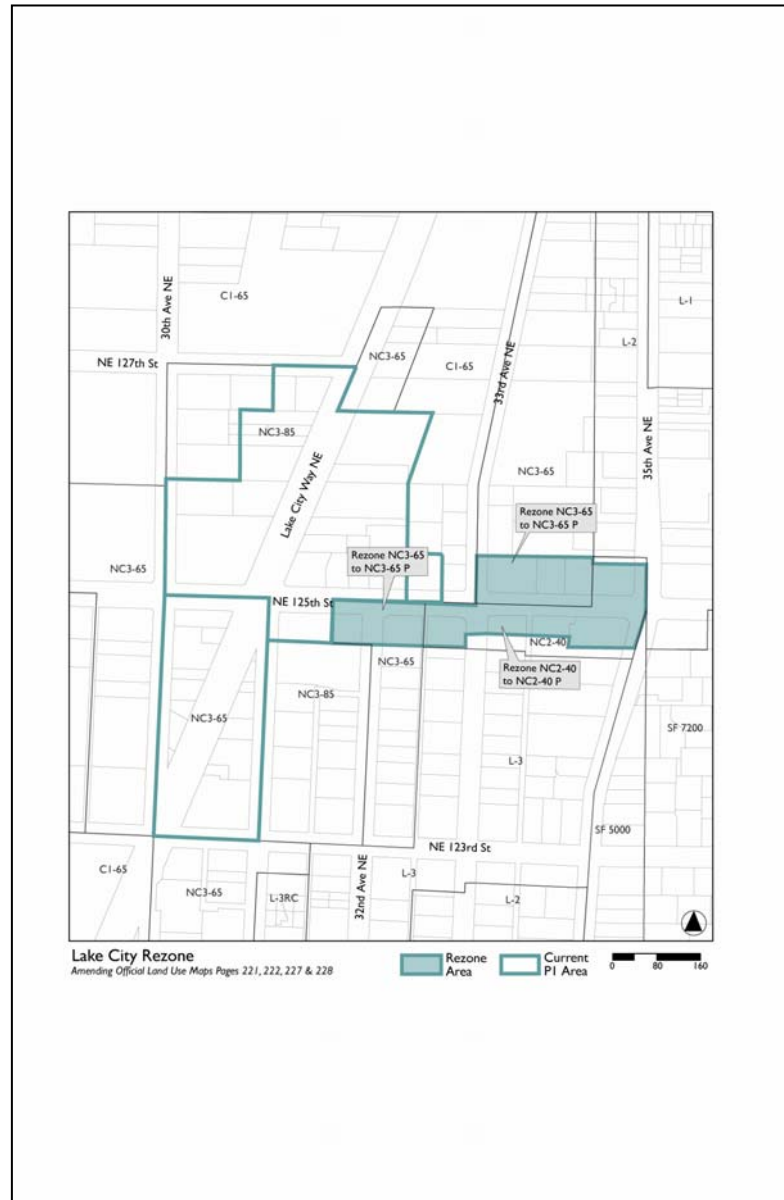
The Greenwood-Phinney Ridge commercial zone is a linear commercial area dominated by NC2 zoned properties and bounded by N 73rd at the south to N 90th at the north. Properties north of N 90th are also zoned commercial but are not included in this rezone. The district merges with another linear commercial zone along N 85th, providing a strong commercial node at the intersection of these two arterials. This intersection is also marked by a change in zone to NC2-65 as well as an existing P2 designation at this node. The NC2 commercial zone along Greenwood is marked by one and two



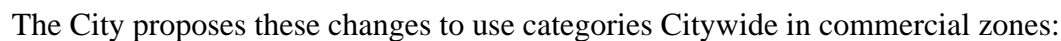
story buildings that include both auto oriented and older pedestrian oriented structures. This area has also seen the introduction of new three and four story mixed use developments in the recent past that include both retail and office uses at the street level. The proposed rezone would apply to the existing P zone at the intersection on 85th and Greenwood; extend the designation to additional NC2-40 zoned properties that are adjacent to the NC2-65 zone to the south and east of this intersection. In addition, a P designation would be applied along Greenwood Ave N between N 75th and N 73rd Streets.

Lake City

The Lake City neighborhood commercial district is another linear commercial strip that dominates Lake City Way between NE 115 to NE 140th. The portion of this commercial zone that is subject to this legislation is primarily bounded by NE 123rd, NE 127th, 30th Ave NE and 35th Ave NE. The existing P1 designation would be changed under this legislation. In addition, an existing NC3-65 zone located on 32nd Ave NE between NE 125th and NE 123rd would be designated with a P overlay, as well as NC2 40 and NC3-65 properties along NE 125th, located between 32nd Ave NE and 35th Ave NE would be rezoned with a P designation. This area to be rezoned is marked by older one and two story auto oriented commercial structures, as well as a one and two story pedestrian business district that fronts among the intersection of 125th and Lake City Way. The area has also seen several new mixed use structures in the area that is subject to this legislation.



an



- Expand allowed uses in pedestrian (P) zone overlays, to include community clubs, lodging, medical services, museums, religious facilities and public schools
- Permit single purpose residential uses in NC2 and 3 zones and C1 zones outright, in zones without a P designation
- Allow single purpose residential uses in NC1 zones that are not adjacent to an arterial street
- Establish floor area ratios (FAR) for all structures in NC and C zones in lieu of current lot coverage limitations for mixed use and single purpose residential structures
- Prohibit single purpose residential in NC or C zones where the height limit exceeds 65 feet
- Amend criteria for allowing residential uses in C2 zones
- Merge size limitations on certain uses in NC zones by dropping square footage limitations for new buildings and applying size limitations in effect for existing buildings

- Replace existing mixed use development standards with standards that distinguish between street level commercial and residential uses, including requirements for minimum street front façade standards, transparency, distance from property line, location of parking, blank wall limitations and other related standards
- Replace residential coverage limitations for mixed use development, and establish limitations for all structure types, through a floor area ratio (FAR) requirement based on the height limits in NC and C zones, single uses in zones with height limits of 85 feet or greater, and locational specific limitations in Station Area Overlay Districts
- Allow up to 4 feet in additional height for structures with street level residential uses in zones with a 30 or 40 foot height limit that provide grade separated entries at street level
- Reduce required open space from 20% to 5% and allow up to 50% of the space provided to be provided in indoor amenity spaces or by payment into a fund in lieu of on-site provision
- Minor changes that clarify acceptable planting species in landscape standards sections

The City proposes the following revisions to the Land Use Code concerning off-street parking and access standards:

- Remove minimum parking requirements for uses located in commercial zones within Urban Centers and Station Area Overlay Districts
- Lower parking requirements based on revised list of uses as well as to reflect current utilization following an analysis of census and trip data
- Waive the first twenty (20) required spaces for change of use in an existing structure
- Revise parking waivers for street level nonresidential uses in NC zones from size of building to size of business
- Establish a maximum of 145 parking spaces for surface parking
- Allow for short term shared parking
- Establish bicycle parking requirements that are not linked to parking space requirements

ANALYSIS - OVERVIEW

The following describes the analysis conducted to determine if the proposal is likely to result in *probable significant adverse environmental impacts*. This threshold determination is based on:

- the proposal, as described above and in memoranda;
- the information contained in the *SEPA checklist*;
- additional information, including analyses, director's reports and technical memoranda prepared by and for City staff; and
- the experience of DPD analysts in reviewing similar documents and actions.

ELEMENTS OF THE ENVIRONMENT

Adoption of the possible amendments would result in no immediate adverse short-term impacts because the adoption would be a non-project action. The discussion below generally evaluates the potential long-term impacts that might result from differences in future development patterns due to the proposed amendments.

A. Natural Environment

Earth, Air, Water, Plants/Animals/Fisheries, Energy

As Seattle and its commercial centers are generally urban areas most of the area is dominated with impervious surfaces (pavings, rooftops, etc) with little vegetation (except for street trees and required landscaping on residential and mixed use properties) and few animals except common birds and squirrels. Each neighborhood that will be affected by these code revisions has a network of sewer/stormdrain utility systems to handle much of its surface stormwater runoff. Despite daily traffic congestion, air pollutant levels rarely if ever exceed significant levels, due to the progressively improving emissions-reduction performance of the region's automobiles.

Within the context of the affected areas, there is minimal potential for additional future development that may result from the proposed changes that would generate significant adverse natural environmental impacts. By following the established rules that require proper design of sewers/stormdrains, construction practices that minimize grading, drainage and dust impacts, and other applicable City regulations, the potential for significant adverse environmental impacts will be limited. Future project-related SEPA review would also afford the opportunity to identify and mitigate any site-specific impacts, as anticipated in SMC 25.05.330

Energy-intensive uses are those that use computers and other technical equipment, requiring large amounts of electrically-powered heating, air conditioning and ventilation. In comparison, residential energy demands are relatively low. There is minimal likelihood that additional energy use from future development (related to this proposal) would cause significant adverse impacts on energy systems. One possible benefit to these elements of the environment from code changes will be the benefits accrued from reductions in allowed surface parking areas, increased opportunities resulting from additional bicycle parking supply and reduced parking supply in the Urban Center and Station Area Overlay areas. No significant adverse impacts are anticipated.

B. Built Environment

Land and Shoreline Use, Height/Bulk/Scale, Housing, Historic Preservation

Rezoning:

One of the key elements of the legislation concerns the designation and application of pedestrian overlay zones in commercial zones. The legislation reduces the two pedestrian designations – P1 and P2 – into one designation. As a result of this change, all existing pedestrian designated zones will be rezoned. Further, the existing list of pedestrian designations in SMC 23.47 will be expanded to include 3 new designations. Finally, the criteria for establishing these zones has been modified to support the development of new pedestrian designations based on emerging land use patterns, implementation of neighborhood planning goals, comprehensive plan updates and the development of new housing to support pedestrian orientation of structures and uses in certain areas around Seattle.

As referenced, six neighborhoods will be included for the designation or expansion of pedestrian designated zones. Three neighborhoods – Admiral, Eastlake and Madison-Miller, will now have pedestrian designations where none previously existed. Accordingly, uses in these zones where P designations will now be applied will have certain limitations including the type of allowed uses, reduced parking requirements, as well as potential restrictions on the location of new

structures and related details. By contrast, the expansion of pedestrian designations in Columbia City, Greenwood-Phinney and Lake City, will build on continuing efforts to increase pedestrian orientation to both uses and structures. As a result of these changes to pedestrian overlay zones through changes in criteria and designation, it is anticipated that additional commercial areas may see potential designation as P zones, due to the expansion and clarification of criteria, in particular further defining eligible street capacity, clarification of relationship to urban centers or urban villages in C zones, further definition of types of business in existing neighborhoods that constitute appropriate uses including more areas that were not previously eligible due to changes that provide specificity some impacts may result, in particular to the size and extent of certain land uses and their relationship to the larger neighborhood and economic development goals of each targeted location.

In addition to impacts resulting from the actions detailed above, all existing Pedestrian designations will be modified to merge together into one classification. This merging of types of designations is designed to increase the utility and simplicity of the provisions. These revisions will be paired with revisions that will increase the allowed uses at ground floor in P zones, to include, Institutional uses, Parks facilities and Lodgings. The merging of these code sections will also combine parking requirements and location that are currently differentiated in the two different P zones into one standard.

No significant adverse impacts are anticipated.

Land Uses:

The proposed action includes several revisions to how and where land uses are permitted. The revisions will reduce the number of recognized land uses by grouping these uses into broader categories based on similarities in type or nature of use. Examples include merging hotel and motel into one use – lodging and merging customer service office with retail and personal services into one "general retail sales and services" category.

In addition, in certain cases limitations of the size a particular use have been increased in certain zones. For example, nonresidential uses in NC 1 zones that were previously limited to 4,000 square feet (s.f.) will now be permitted outright up to a maximum size of 10,000 s.f. In NC2 zones, the size limitations have been generally increased from a maximum of 15,000 s.f. to 25,000 s.f. or in some cases the 5,000 s.f. maximum has been raised to 10,000 s.f., depending on the nature of the use. In NC 3 zones, these limitations have increased from a maximum of 15,000 s.f. to 25,000 s.f. In addition to expanding and refining these limitations, further clarification of when uses are permitted is provided through establishing uses limitations at street level in pedestrian designated districts. This list of uses has been expanded to include some office uses (administrative office still wouldn't be permitted – medical services and customer services would) lodging uses and certain institutional uses not previously permitted. This will be applied to not only existing P zones but those neighborhoods where new or expanded P zones will be adopted with this legislation.

With these revisions, certain uses will have increased maximum size limitations. This approach standardizes previous limitations by adopting a uniform size limitation for certain uses in each zone, thereby increasing the utility of the code. These provisions do not alter the Conditional Use process for expansions or additions to these targeted uses; however the threshold for this review

is increased. The adoption of this code may result in reducing the number of Administrative Conditional Use reviews for certain uses, however the related SEPA threshold that would be used to determine and evaluate site specific environmental impacts will not be changed. In addition, the allowance to have certain uses increase in size from their present limitations may alter or encourage uses that could not otherwise develop in the zone to be permitted. An example of this would be to increase the maximum size of indoor sports and recreation facilities in an NC1 zone from 4,000 to 10,000 square feet. This would allow larger scale racquetball, gym facilities, bowling alleys and other comparable uses. While increasing the size may result in impacts that would be analyzed under SEPA at the time of any one development, which will continue to be required as a result of this legislation, the increase in the size of an already permitted use is unlikely to pose adverse significant impacts on its face. While the size of the uses described above may be allowed to be larger than currently allowed in the respective zones, such size increases does not necessarily result in an overall increase in the size of all buildings in P zones, in part due to continued restrictions on height, limitations due to floor area ratio (FAR) that are part of the legislation, that will continue to limit the size and scale of buildings in their respective zones.

Changes to use standards concerning the location and amount of single purpose residential uses are discussed in the Housing section to follow.

No significant adverse impacts are anticipated.

Development Standards:

Many of the development standard revisions are restatements and clarifications to the existing zoning requirements, with the exception of new FAR requirements. The adoption of street level development standards in P zones clarifies existing requirements and implements the proposed rezones. The blank facade, street facade setback and dimensional requirements are already in effect in the code, albeit in several different sections. For example the proposed dimensional requirements requiring 30 foot depth at street level and 13 foot floor to floor height is currently located in the commercial code that is required for all mixed use development. This code section will be modified to apply to all nonresidential structures in these zones. Other mixed use standards that will apply to all nonresidential development, specifically in P zones, arise from emphasizing commercial development in certain zones as well as modifying zoning to allow for residential uses which are now conditionally permitted in NC and C zones. These code changes will result in changes to the urban form by allowing more residential uses and structures in commercial zones and increased emphasis on commercial and mixed use development in other commercial zones with P designations. Further, the code changes will also allow more flexibility for redevelopment of existing structures by waiving or modifying development standards at the time of conversion or expansion. The following are specific analyses related to certain development standards:

1. Open Space:

While much of the proposed legislation clarifies existing codes to support the designation of new pedestrian zones, a larger code change affects open space standards. The proposed open space standard would replace existing 20 % of gross floor area requirements for mixed use structures with a reduced a total of 5% of the same area. Currently, the amount of open space that must be

provided is dedicated to ground floor decks and planting areas or balconies/roof top gardens and decks. The new provisions would allow for 50% of the new minimum open space requirement to be provided in interior spaces or off site. These new provisions mirror existing allowances in the Downtown Code (SMC 23.49) that currently apply to new residential uses. The option to pay for up to 50% of the required open space into a fund for offsite open space would still guarantee that open space is an amenity for the residents that may be provided on or off site. The provision would not satisfy all open space requirements but would allow for flexibility to provide these spaces, in particular in areas that have abundant open space opportunities in the form of parks or other such amenities. Accordingly, it is not anticipated that there will be significant adverse impacts from reducing required minimum open space as the proposal broadens the type and nature of spaces that can be defined as Open Space.

2. Floor Area Ratio:

A new provision that will be implemented throughout all NC and C zones is the use of a Floor Area Ratio (FAR) to govern the maximum amount of lot area that a structure can cover. Currently, a nonresidential use in a commercial zone can cover the entire lot area of a site. However, structures that meet mixed use development standards are allowed to cover the entire lot for those portions of the structure in nonresidential use but limit the amount of coverage for portions in residential use to 64% of the lot for portions of the structure above 13 feet in height. The provisions to switch to a Floor Area Ratio will generally apply to all structures in NC and C zones, based on the underlying height limit of each and the type of structure provided – mixed use versus single purpose. The FAR requirements are less restrictive in certain zones, including Station Area Overlay Districts. In addition, portions of structures below grade, rooftop and mechanical equipment areas are exempt from FAR calculations. The move to an FAR limit may cause some impacts in terms of massing of building forms that have not otherwise occurred. FAR calculations may result in building forms that are shorter and more completely fill the parcel as opposed to having upper floor coverage of varying size and scale. However, it is unlikely that the adoption of the FAR limits in lieu of current standards would result in significant adverse impacts on the environment.

3. Mixed Use development standards – protection of private views

As part of the code amendments in this legislation, a revision to allowed structure height has been proposed to accommodate new FAR provisions discussed above. One element of the code that will be removed in the height section governs those buildings located in zones with 30 or 40 foot height limits and where additional that additional height is specifically required for a mixed use structure. Currently, if the provision of additional height for these structures would substantially block protected views of Mount Rainier, the Olympic and Cascade Mountains, the downtown skyline, Greenlake, Puget Sound, Lake Washington, Lake Union and the Ship Canal, the project can be required to reduce the height of the structure to mitigate the impact. The removal of the code section could cause loss of views of these resources and therefore impacts on the environment. To mitigate the loss of this provision, the requirement for calculating lot coverage through FAR can be used to address potential loss of view that could result from the removal of this code provision, as projects that are subject to Design Review under SMC 23.41 can take into account how the project is sited in relationship to topography and other site specific issues. This provision is specifically addressed in the Citywide Guidelines for Commercial and Multifamily Buildings dated November 1998. Any such evaluation would need to occur at the

time of any site specific proposal to illustrate that the incremental height from meeting street level standards for height of a commercial space would result in an incremental loss that became ‘substantial’, as anticipated in SMC 25.05.330C4. Removal of the code provision does not automatically create an impact as the current code only limits additional height for the residential portion of a mixed use structure; it does not require all structures in such locations (single purpose commercial and/or residential), to have reduced height. While it is anticipated that there will be some impacts as a result of the legislation, it is unlikely that the impacts would be significant as there continues to be authority to address the loss of views in other provisions of the code. No substantial adverse impacts are anticipated.

Housing

The proposed changes in this legislation include repealing the ‘R’ designation in NC zones. This designation is currently applicable in six different Urban Villages – 23rd and Jackson-Union, Columbia City, Madison-Miller, MLK at Holly, North Beacon Hill and North Rainier – affecting the amount of single purpose residential structures that can be built in these commercial zones. While these uses are permitted outright in Columbia City designations, they are subject to density limits. In addition, a Conditional Use Permit is required in the remaining four ‘R’ designated zones to construct single purpose residential housing. The repeal of this designation to generally permit these uses outright using proposed FAR allowances would provide a consistent approach towards permitting these types of uses, although there would still be restrictions that would generally prohibit single purpose residential structures in zones with P designations. Further the FAR requirements would provide some limitations on density based on the shape, size and form of the building. Finally, limitations on single purpose residential structures would remain in P zones, NC1 zones along arterials, all C-2 zones and will continue to be prohibited in the Bitter Lake and Lake City Urban Villages. Data collected by staff, following analysis of building and master use permits in the ‘R’ designated zones, suggests that a minor decrease in the number of dwelling units may result from the loss of the ‘R’ designation. These zones would continue to allow, outside of P designations, the development of single purpose residential development. Further, the lifting of density restrictions on all single purpose housing Citywide will undoubtedly offset the minor loss of housing production in these areas.

The restrictions on single purpose residential development currently includes Conditional Use Permit review that takes into account factors such as available land for commercial development and other criteria that would look at the impact of introducing residential development in commercial zones and how that would potentially impact commercial development. Allowing these uses outright but prohibiting them in all P zones allows for commercial development to be further targeted for maximum impact while allowing redevelopment to occur without negatively impacting housing production.

No significant adverse impacts are anticipated as a result of this legislation.

Noise, Shadows on Open Spaces, Light & Glare, Environmental Health, Public View Protection

No provisions in the legislation have anticipated impacts on these elements of the environment.

Transportation, Parking, Public Services and Utilities

Transportation

No substantial or significant transportation impacts are anticipated from the proposed code amendments. To the extent the changes encourage pedestrian-oriented development, they may lead to a slight shift away from auto usage and towards other modes of transportation, particularly walking and transit. Particular code changes may have minor impacts on transportation; these are discussed below.

Modifications to pedestrian designations: The proposed modifications to the pedestrian designations, including combining P1 and P2 categories into one P designation, amending the locational criteria, and creating new and expanding existing pedestrian designations, are unlikely to produce adverse transportation impacts. The likely effect of these code changes will be to broaden the pedestrian-oriented commercial areas found in neighborhoods with existing pedestrian zoning, which would encourage walking and possibly cause a small mode shift away from auto usage. Potential parking impacts of the modifications to the pedestrian designation are discussed in the Parking section, below.

Elimination of Neighborhood Commercial/Residential designation: Proposed code amendments to commercial zoning provisions will fulfill the primary objectives currently served by the NC/R designation by allowing residential-only buildings outright in most commercial areas, and by removing residential density limits. Therefore, removal of the NC/R designation generally will have little impact. The primary potential transportation impact is the shift in development capacity on parcels currently zoned NC/R if the /R designation is removed. Data from the Neighborhood Business District Strategy Director's Report indicate the difference that repeal of the /R designation could reasonably be expected to have on residential and employment capacity within the six urban villages where it has been mapped. In total, all six urban villages would be expected to add roughly 62,400 square feet of commercial development, while losing roughly 125 residential units. Columbia City would likely experience both the greatest increase in commercial square footage (28,300 square feet) and the greatest loss of housing units (62 units).

The amount of traffic likely generated by a commercial development depends substantially on the proposed use, as well as the location of the project, availability of other modes of travel, and similar factors. As the impacts in each urban village would likely be spread over a broad area (such as the 10 acres in Columbia City currently with an 'R' designation), the cumulative impacts of any increase in traffic would be dispersed and likely unnoticeable. Additionally, projects over 4,000 square feet would be subject to SEPA review at the time of permit application; the transportation impacts of specific projects would be documented at that time.

Uses: The reorganization of the use chart is not expected to produce any transportation impacts. As with current use categorizations, any project that exceeds SEPA thresholds will be reviewed for transportation and other environmental impacts at the time of project application. Similarly, moving the criteria used to evaluate "restaurants with drive-in lanes" as an administrative conditional use to the general "drive-in" lane development standard sections does not substantially change the review that would be made for this use at the time of MUP application.

Residential uses in commercial areas: The proposal would repeal Single-Purpose Residential density limits and conditional use criteria. This could increase the amount of residential development and decrease commercial development on the ground floor of some commercially-zoned parcels. In general, a specific amount of space devoted to housing will generate fewer trips than the equivalent amount of space devoted to non-residential uses, particularly the types of non-residential uses allowed in Neighborhood Commercial zones. The “Parking and Traffic Impacts” technical memorandum prepared by Heffron Transportation illustrates this by comparing PM peak hour trips generated by roughly equivalent apartment, office, and retail space. Apartments average 0.51 PM peak hour trips, compared to 1.49 for office and 3.75 for retail. To the extent that code changes encourage housing development in place of commercial development, traffic volumes would be expected to slightly decline.

Street level uses in pedestrian designations: The code amendments include a range of relaxation and restriction of uses in commercial zones, due to expansions of pedestrian designations (restricting allowable street-level uses) and broadening of uses permitted in a pedestrian zone. The new uses include private schools, religious facilities, medical services, lodgings, and community clubs and centers. In general, these uses would not generate greater amounts of traffic than uses already allowed in pedestrian designations. Modifications to pedestrian designations and their expansion to new commercial areas are not apt to substantially increase or decrease traffic volumes.

Maximum size of use: The code amendments would extend maximum size limits that currently apply to existing businesses to all businesses. In general, the modifications to maximum size limits are not likely to have noticeable traffic or parking impacts, as the total amount of business square footage that potentially could locate on a site would not change. In certain circumstances, somewhat larger developments may occur, primarily because maximum size limits for specific uses (such as food processing and craft work in NC2 and NC3 zones) would increase. As the SEPA threshold in NC zones is 4,000 square feet, any project utilizing the increased maximum size limit provided by this code amendment would undergo SEPA review, including a review of potential transportation and parking impacts.

Bulk and Density Controls: The proposed amendments would alter the manner in which upper-level bulk is controlled. Instead of the current restriction of 64% of the lot for upper stories containing residential use, maximum floor area ratios (FAR) would be established. These ratios would vary by height; the intent of the new legislation is to develop FAR's that closely match the amount of floor area currently allowed under 30', 40', and 65' height limits. As no substantial increase in floor area is anticipated under the new FAR limits, no increase in traffic is expected from this code change.

FAR limits also are proposed to replace residential density limits. These limits apply to single-purpose residential structures in commercial zones, but not to the residential components of mixed-use structures. As most residential units in commercial zones have been constructed as part of mixed-use developments, removal of the density limits for SPR structures will not substantially change the amount of development that is expected to occur.

The potential increase in residential units in a SPR development may generate a small amount of additional traffic. This could be offset if the code changes encourage a SPR development in place of a mixed-use development, as commercial uses typically generate greater traffic volumes

than residential uses of the same size. On balance, these code changes are not anticipated to result in substantial adverse transportation impacts. At the project level, SEPA review will document the impacts of any particular development proposal utilizing these code provisions.

Parking location and design: The code amendments would alter where parking could be placed on sites in NC zones. These changes are expected to create somewhat greater pedestrian-oriented commercial development in NC zones, by reducing the prominence of parking on the site as viewed from the street. Parking access provisions also would change; the new regulations would require parking access to be from an alley or side street when they are present and in good condition. By moving parking access off of streets anticipated to be primary pedestrian corridors, these code changes would reduce conflicts between pedestrians and autos, and thus would be likely to have a beneficial transportation impact. New regulations that require pedestrian pathways through parking lots to entries of buildings also are expected to have beneficial transportation impacts, by increasing the ease and attractiveness of walking from the sidewalk to the building entrance. Although any shift is apt to be slight, this could encourage use of alternate modes and decrease automobile trips.

The reduction of driveways along primary pedestrian streets could increase traffic on side streets and alleys. As noted in the Heffron technical memorandum, “where side-street driveways would be located in close proximity to an intersection, turn restrictions (e.g., right-in, right-out only) may be required. This could force some traffic into neighborhoods when accessing or exiting a site.” Current commercial code access provisions allow a project fronting on two streets, or a street and an alley, to take access from either location, so some traffic circulation on side streets and alleys already occurs from commercial area development. Projects below the SEPA thresholds (4,000 square feet in NC zones and 12,000 square feet in C zones) likely would be small enough that traffic impacts on side streets and alleys also would be small. Larger projects would be required to document their transportation impacts, including side-street operations and potential for cut-through traffic into residential areas, as part of their SEPA process. If appropriate, mitigation would be applied at the project level.

Parking

The proposed code changes are not anticipated to produce significant adverse environmental impacts. Some of the changes address the location of parking on a project site; these changes address the use of space on a site, and are not expected to have direct parking impacts. Changes that would encourage housing development, discussed in the transportation section, also would not have direct parking impacts, separate from any impacts related to changes in the amount of required parking (discussed below). As with transportation, parking impacts of projects utilizing the proposed increases in maximum sizes of uses in certain zones would be evaluated at the project level. Code changes that might produce a noticeable parking impact are discussed below.

Parking requirement reductions: The NBDS Director’s Report summarizes information from a variety of sources, including the Comprehensive Neighborhood Parking Study conducted in 2000, the 2000 Census, data collected by SDOT in eight neighborhood business districts in 2004, and parking supplies provided by projects in Seattle built with no minimum parking required by the Land Use Code (downtown residential projects and retail-oriented businesses in pedestrian areas). The Report identifies two key points from these data: “Seattle is currently requiring more parking spaces be provided than are being used for most retail and residential buildings,” and

“buildings generally provide more parking spaces than are required” by the Land Use Code. The data indicate that most developments have provided more parking than is required to meet their peak demand. For example, the 2004 data collected by SDOT found that “general retail” uses (a category that includes hardware stores, pet stores, dry cleaners, video rental stores, and similar uses) provide slightly over 3 parking spaces per 1,000 square feet of development, while the Land Use Code requires slightly less than 3 spaces per 1,000 square feet. Peak demand, however, was found to be about 2.4 spaces per 1,000 square feet.

More generally, peak parking demand data from seven categories of commercial development (general retail, multipurpose stores, convenience stores, banks, medical offices, fast-food restaurants, and general restaurants) show that the average supply in each category is consistently greater than the peak demand of the category, usually substantially so. The additional parking supply ranges from that of fast-food restaurants, which on average provide 20% more parking than necessary to meet peak demand, to multipurpose stores, where parking supply exceeds peak demand by almost 70%.

Based on these results, the code amendments propose lowering minimum parking requirements for a number of uses identified in the Land Use Code, as well as reorganizing and simplifying the parking chart by combining similar uses. The goal of the reductions is to set minimum parking requirements at or below levels of estimated peak parking demand for each use or category of use. This reduction could result in slight increases in spillover parking; however, the supply and demand data gathered through the studies mentioned above indicate that, typically, developments supply more parking than is required by code and more than enough to meet their peak demand. For instance, the minimum parking requirement for general retail uses will drop from slightly under 3 spaces/1,000 sf to 2 spaces/1,000 sf. While this is less than the peak demand cited above (2.4 spaces/1,000 sf), it is unlikely that developers, who on the surveyed sites supplied approximately 10% more parking than required by code and 32% more parking than necessary to serve peak demand, would only construct the minimum required parking following the code change.

The Heffron technical memorandum examined potential effects of changing minimum parking requirements for several varieties of land use, and concluded that “the combination of SEPA review and market forces will combine to mitigate potential adverse effects of most projects”. This conclusion seems sound, taking into consideration the parking demand data gathered in Seattle in 2000 and 2004, auto ownership information from the 2000 Census, and the experience of multifamily developers in downtown Seattle, where no parking is required by code. With respect to general sales and service uses and eating and drinking establishments, the Heffron memo also notes that uses too small to be reviewed by SEPA generally would be expected to serve local customers such as building tenants or nearby residents. For such relatively small retail uses, auto-oriented trips typically make up a smaller proportion of all trips generated by the uses, and parking demand therefore is likely to be less.

For larger projects, SEPA analysis would evaluate individual parking demand characteristics of a project and their relationship to proposed parking supply, and require mitigation where appropriate. The combination of SEPA review and market forces are expected to adequately mitigate any potential adverse parking impacts for larger projects. Projects below the SEPA thresholds may result in minor parking impacts if proposed parking supply is not as great as expected demand, but the data sources referenced above suggest that most developers will

accommodate their parking demand on-site. In addition, if certain areas experience increasing parking congestion or other impacts, the Seattle Department of Transportation (SDOT) can implement various parking management strategies; these strategies include time limits, parking meters, pay stations, loading zones, and Residential Parking Zones. Therefore, this code change is not expected to have a significant parking impact.

Removal of parking requirements in urban centers and transit station areas: Under the code amendments, minimum parking requirements would not be applied to developments in urban centers and rail transit station areas. This change would apply to the First Hill/Capitol Hill, Downtown, Uptown/Seattle Center, U-District, South Lake Union, and Northgate urban centers. It also would apply to current Station Area Overlay Districts around the Beacon Hill, McClellan, Edmunds, Othello, and Henderson light rail stations, as well as to any future extensions of the Station Area Overlay District to monorail or new light rail station areas. Existing minimum and maximum parking requirements for specific uses in the Northgate Overlay District (SMC 23.71) are not changed by this legislation, and will continue to apply.

As with the reduced minimum parking requirements in commercial areas in general, the results from the studies mentioned above indicate that a majority of developments will continue to provide a parking supply that meets or exceeds likely peak demand. As noted in the NBDS Director's Report, developers of downtown residential projects have continued to provide parking, although no parking is required by the code and no SEPA authority exists to require downtown residential parking. Five recent downtown residential projects supplied at least 1 space per unit, with three providing at least 1.5 spaces per unit.

Removal of parking requirements in urban centers and station areas may produce some spillover parking, although, as noted above, this is likely to be limited by developer interests to supply sufficient parking to create a viable project. In circumstances where spillover parking does occur in sufficient volume to create an on-street impact, various parking management strategies can be applied by the Seattle Department of Transportation to mitigate this impact. These include pay stations, parking meters, time limits, loading zones, and Residential Parking Zones. In addition, the proposed modifications to the use of accessory parking (see discussion below) may create additional off-street parking supply and reduce on-street demand.

In many areas, application of SEPA authority at the time of individual project review also will provide a means for identifying and mitigating potential parking impacts, on a case-by-case basis. In certain zones and for certain uses, SEPA authority to mitigate parking impacts is limited; for instance, in downtown zones and the Seattle Cascade Mixed zone. In the Pike/Pine Overlay District, no SEPA authority exists to require residential uses to provide more parking than the minimum required by the Land Use Code. This limitation on SEPA authority would be extended to the First Hill Urban Center Village, the Capitol Hill Urban Center Village, and the University District Northwest Urban Center Village if pending legislation is approved by the City Council. Parking impacts from residential uses in these zones would be reduced by means of other SEPA mitigation, in addition to SDOT parking management strategies. Eliminating parking requirements in urban centers and transit station areas is not expected to produce a significant adverse environmental impact.

Waive parking for certain ground-floor retail development: The code amendments would change the current parking waiver that exempts the first 2,500 square feet of a use from providing

parking to a waiver that would apply to the first 1,500 square feet of non-residential space per business establishment. The waiver would apply to each proposed business, instead of each proposed type of use. In certain situations, such as two or more businesses of the same type of use locating within a structure, this modification of the waiver could result in less required parking than under the current code. To the extent that developers build more parking than is required by code, this differential would be reduced. Projects exceeding SEPA thresholds would be reviewed for parking impacts through SEPA at the time of Master Use Permit application.

A related code change would apply the P2 parking waiver for general sales and service uses, entertainment uses, and eating and drinking establishments in all Pedestrian-designated zones. No change in code-required parking would occur in areas already zoned P2, while more parking would be required in areas currently zoned P1. The application of the pedestrian zone to new commercial areas could result in slight increases in on-street parking demand, depending both on the actual parking demand of a particular business and the extent to which a developer chooses to provide non-required parking. Application of SEPA for larger projects will reduce the likelihood of large amounts of spillover parking, while on-street parking management strategies can be deployed to reduce the cumulative impacts of small amounts of spillover parking from multiple uses in a given area. No significant adverse environmental impacts are anticipated from the proposed changes to parking waivers.

Waive parking requirements for uses that occupy existing commercial spaces: The code amendments would not require a change of use of existing commercial space to provide additional parking, unless more than 20 additional spaces would be required. This change in required parking typically results when an existing space permitted for a use with a lower parking requirements (e.g., office) is converted to a use with a higher parking requirements (e.g., restaurant). The NBDS Director's Report cites results of a study of recent changes of use from lower to higher parking requirements. Analysis of the 327 projects indicated that, on average, about 2 additional spaces were required by the use with the higher requirement. In roughly 80% of the cases, the increase in required parking was less than 5 spaces. The largest difference was identified for a change of use from office to restaurant which required an additional 17 parking spaces.

This code change potentially could result in spillover parking. However, the data from recent changes-of-use in Seattle suggest that, for the large majority of cases, the spillover would be quite small. As with other changes to parking regulations, market forces are expected to lead developers to provide more parking than is required by the land use code. If unusually high spillover, perhaps from multiple changes of use in a small area, results in substantial changes to on-street parking demand and usage patterns, SDOT can implement various parking management strategies, as discussed above. Given the availability of these tools and the results of the case study analysis indicating that most spillover would be very small, it is not anticipated that this code change will result in significant adverse parking impacts.

Allow broader use of accessory parking: This proposed code change would provide property owners flexibility to make their parking available to the general public if they so choose. The NBDS Director's Report provides the example of neighborhood banks or office buildings that offer their parking as paid parking during non-work hours (evenings and Sundays). This broadens the shared-use parking concept already allowed under certain circumstances by the Land Use Code, making accessory spaces available for other uses.

This change is unlikely to cause adverse parking impacts, as property owners likely will attempt to first meet the parking needs of their tenants. Even if some site parking demand exists during a time the parking is made available to the general public, employees and customers of the on-site uses would be able to use the parking as readily as other drivers seeking parking. It is likely that this amendment will allow the existing parking supply to be used more efficiently, and will expand the total amount of parking available to a neighborhood, thereby reducing on-street parking impacts.

Limitations on surface parking: This code change would create a maximum surface parking limit of 145 spaces. This limit is intended to address environmental concerns related to water pollution and stormwater runoff. No limit would be placed on the total amount of parking that could be provided on a site; however, the cap on surface parking could result in a slight decrease in the parking that is actually provided, as structured parking (either above- or below-ground) is substantially more expensive than surface parking. Any project large enough to be subject to this limit would be required to document their parking impacts through SEPA. The impacts of providing insufficient parking to meet demand would be identified through project-level SEPA review, and appropriate mitigation would be required.

Modify bicycle parking requirements: The City's bicycle parking requirements are proposed to be adjusted by adding short-term and long-term minimum requirements as well as distinguishing between inside and outside of urban centers and rail transit station areas. The goal of the changes is to more clearly link bicycle parking requirements to likely demand. These changes may facilitate greater bicycle use, by requiring more appropriate amounts of bicycle parking. It is unlikely that, systemwide, increased bicycle usage would have a noticeable adverse impact on bicycle facilities; however, individual projects that anticipate heavy bicycle usage would document their bicycle impacts, and if necessary, provide appropriate mitigation. In general, increased bicycle usage likely would lead to a reduction in both auto trips and auto parking demand.

Public Services and Utilities

Consultation with the Fire, Police, Parks and Public Utilities Departments, as well as City Light, revealed no potentially significant adverse impacts as a consequence of the proposed changes. Any additional future residential development in the area will contribute to overall cumulative increases in demand for public services and utilities. However, the proposed changes are not expected to generate significant adverse impacts as a result of additional amounts or locations of potential future growth.

DECISION

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

Signature: _____ Date: _____

Michael Jenkins, Senior Land Use Planner
Department of Planning and Development
Land Use Services